



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,882	08/20/2001	Martin J. Koistinen	09469.007001	6775

22511 7590 11/15/2005

OSHA LIANG L.L.P.
1221 MCKINNEY STREET
SUITE 2800
HOUSTON, TX 77010

EXAMINER

SCHUBERT, KEVIN R

ART UNIT PAPER NUMBER

2137

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/932,882

Applicant(s)

KOISTINEN ET AL.

Examiner

Kevin Schubert

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-16, 18-23 and 25-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-16, 18-23, 25-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2137

DETAILED ACTION

Claims 1-8,10-16,18-23, and 25-37 have been considered. The examiner maintains the rejection presented in the previous action. The examiner has also added a new 112 rejection based on amendments filed 10/27/05. The examiner thanks the applicant for his time in the in-person interview of October 19, 2005 and for his efforts to expedite prosecution in the case.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-8,10-16,18-23, and 25-37 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Regarding the independent claims and dependent claim 33, the examiner, after conducting a thorough and careful review of the Specification, does not find the limitation "wherein the security agent and the agent-side transfer agent are unable to access the UBC". The examiner requires that the applicant provide a specific passage where this limitation is disclosed or make appropriate correction.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2137

Claims 1-2,5,7,11-13,18-20,26,29-32, and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit, EP 0820207 A2, in view of Chmaytelli, U.S. Patent No. 6,542,729.

As per claims 1 and 18, the applicant describes an apparatus to unblock a security device issued to an end user comprising the following limitations which are met by Lipsit in view of Chmaytelli:

a) a client-side transfer agent for securely transferring information among the unblocking service, the end user, and the security device (Lipsit: page 5, line 47 to page 6, line 17);

b) an agent-side transfer agent for securely transferring information between the unblocking service and a security agent (Lipsit: page 5, line 47 to page 6, line 17);

c) an Unblock Authorization Code (UAC) generated after verification by the security agent and securely transferred from the agent-side transfer agent to the unblocking service (Lipsit: page 5, lines 47-50);

d) an Unblock Code (UBC) securely transferred from the unblocking service to the client-side transfer agent, wherein the client-side transfer agent uses the UBC to unblock the security device, and wherein the security agent and the agent-side transfer agent are unable to access the UBC (Chmaytelli: Col 8, lines 59-66);

e) an unblocking service for establishing a secure gateway and storing the UAC and UBC (Lipsit: page 5, lines 47-50; Chmaytelli: Col 8, lines 59-66);

Lipsit describes a system which meets the limitations of the above claim in which a secure gateway (38 of Fig 1) is used to coordinate unblocking of a security device. A subscription service provider transfers data into the secure gateway including serial numbers and security codes which assist in the unblocking process. Though Lipsit discloses unblocking a remote device, Lipsit does not specifically disclose sending an unblock code to the device. In Lipsit, the unblocking of the device is done at the secure gateway.

Chmaytelli, discloses that a device may be physically locked and an unblock code may be sent to a device to unblock the device. Whereas Lipsit merely discloses unblocking of a device at a secure gateway, the combination as prescribed incorporates an unblock signal that may be received to further

Art Unit: 2137

local unblocking of the device. Through the combination of Chmaytelli, the device in Lipsit's system may be physically blocked and requiring of an unblock code to be sent to locally render the device unblocked. This combination makes the system more robust and secure because it incorporates the element that a device may be physically blocked and requiring of a local unblock signal. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Chmaytelli with those of Lipsit because doing so makes the system more robust and secure because it incorporates the element that a device may be physically blocked and requiring of a local unblock code.

As per claims 2 and 19, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit in view of Chmaytelli, with the following limitation which is also met by Lipsit:

Wherein the security agent unblocks the security device from a remote location (page 5, line 47 to page 6, line 17).

As per claims 5 and 20, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit in view of Chmaytelli, with the following limitation which is also met by Lipsit:

Wherein the end user is remote (page 5, line 47 to page 6, line 17).

As per claim 7, the applicant describes the apparatus of claim 1, which is met by Lipsit in view of Chmaytelli, with the following limitation which is also met by Lipsit:

Wherein the apparatus is accessible via a web interface (page 5, lines 1-13).

As per claims 11-13 and 26, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit in view of Chmaytelli, with the following limitation which is met by Lipsit:

Wherein the UAC is accepted upon correlation of an end user identifier and a security device identifier (Lipsit: page 5, line 47 to page 6, line 17).

Art Unit: 2137

As per claims 29,36, and 37, the applicant describes a method of unblocking a security device issued to an end user using a security agent comprising the following limitations which are met by Lipsit and Chmaytelli:

a) gathering information from the end user and the security device (Lipsit: page 5, line 47 to page 6, line 17);

b) verifying the information gathered from the end user and the security device (Lipsit: page 5, line 47 to page 6, line 17);

c) contacting the security agent by the end user (Lipsit: page 5, lines 42-55);

d) supplying end user information verbally to the security agent (Lipsit: page 5, lines 42-55);

e) verifying identity of the end user by the security agent using an identity verification mechanism (Lipsit: page 5, lines 42-55);

f) generating an Unblock Authorization Code (UAC) (Lipsit: page 5, line 47 to page 6, line 17);

g) delivering the UAC to an unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

h) storing the UAC against a security device record in a directory service (Lipsit: page 5, line 47 to page 6, line 17);

i) supplying the UAC from the security agent to the end user (Lipsit: page 5, line 47 to page 6, line 17);

j) applying the UAC to a client-side transfer agent by the end user (Lipsit: page 5, line 47 to page 6, line 17);

k) delivering the UAC securely from the client-side transfer agent to the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

l) verifying the UAC of the client-side transfer agent and an agent-side transfer agent match through the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

m) requesting an Unblock Code (UBC) from the directory service (Chmaytelli: Col 8, lines 59-63);

o) unblocking the security device by transferring the UBC from the directory service to the client-side transfer agent (Chmaytelli: Col 8, lines 59-63).

Art Unit: 2137

As per claims 30-32, the applicant describes the method of claim 29, which is met by Lipsit in view of Chmaytelli, with the following limitation which is met by Lipsit:

Wherein the security device identifier is a serial number (Lipsit: page 5, line 47 to page 6, line 17).

Claims 3-4 and 22-23 rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Menezes, (Menezes, Alfred J. Handbook of Applied Cryptography. 1997. CRC Press. Pages 15-17 and 388-390).

As per claims 3 and 22, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit, with the following limitation which is met by Menezes:

Wherein an end user identifier and a password is presented by the end user for the client-side transfer agent to connect to the unblocking service (Menezes: 388);

Lipsit in view of Chmaytelli discloses all the limitations of claims 1 and 18. Lipsit in view of Chmaytelli also discloses that a password may be presented by the end user for the client-side transfer agent to connect to the unblocking service (page 4, lines 51-54). Lipsit in view of Chmaytelli, however, does not disclose that the password is presented with an end user identifier as an end user/password pair.

Menezes discloses the idea that a password is typically presented with an end user identifier as an end user identifier/password pair. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Menezes with those of Lipsit in view of Chmaytelli because authenticating an end user with an end user identifier/password pair allows each end user to maintain their own personal password rather than just having one universal password. This enhances security in the system because a hacker needs to know two pieces of information (the end user identifier and the password) instead of just one piece of information.

As per claims 4 and 23, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit in view of Chmaytelli, with the following limitation which is met by Menezes:

Art Unit: 2137

Wherein the secure gateway is configured to perform an authentication process for every transfer between the client-side transfer agent and the unblocking service (Menezes: 15).

Lipsit in view of Chmaytelli is silent as to how data is transferred between the client-side transfer agent and the unblocking service. If the data were encrypted with a symmetric key, an authentication process would be performed for every data transfer since only an authorized user should have the symmetric key.

Claims 6 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Gien, U.S. Patent Application Publication No. 2002/0112156.

As per claims 6 and 21, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit in view of Chmaytelli, with the following limitation which is met by Gien:

Wherein the security device is a smart card (Gien: [0105]);

Lipsit in view of Chmaytelli discloses all the limitations of claims 1 and 18. However, Lipsit in view of Chmaytelli does not specifically disclose that the security device which is being unblocked is a smart card. Gien discloses the idea of unblocking a smart card. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Gien with those of Lipsit in view of Chmaytelli because a smart card is another type of security device which could benefit from the efficient unblocking techniques of the system.

Claims 10 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Binder, U.S. Patent Application Publication No. 2002/0138553.

As per claims 10 and 25, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit in view of Chmaytelli, with the following limitation which is met by Binder:

The client-side transfer agent is configured to check periodically at a configurable frequency for the UAC (Binder: [0036]);

Art Unit: 2137

Lipsit in view of Chmaytelli disclose all the limitations of claims 1 and 18. However, Lipsit in view of Chmaytelli do not disclose checking at a configurable frequency for the UAC.

Binder discloses this idea in a networking system in which a client is set to check at a configurable frequency for a generated message. As disclosed by Binder, this functionality is advantageous because it eliminates the costly and unnecessary need for the user to maintain a constant open connection between a client and a server [0027]. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Binder with those of Lipsit in view of Chmaytelli because having a client check for a UAC at a configurable frequency eliminates the costly and unnecessary need for the user to maintain a constant open connection with the unblocking service.

Claims 8,14-16 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Menezes.

As per claims 14-16, and 27, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit in view of Chmaytelli, with the following limitation which is met by Menezes:

Wherein the UBC is provided by the unblocking service to the client-side transfer agent after correlation of an end user identifier, a password pair, and a security device identifier (Menezes: page 388);

Lipsit in view of Chmaytelli discloses all the limitations of claims 1 and 18. Lipsit also discloses that a password may be presented by the end user for the client-side transfer agent to connect to the unblocking service (page 4, lines 51-54). Lipsit in view of Chmaytelli, however, does not disclose that the password is presented with an end user identifier as an end user/password pair.

Menezes discloses the idea that a password is typically presented with an end user identifier as an end user identifier/password pair. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Menezes with those of Lipsit in view of Chmaytelli because authenticating an end user with an end user identifier/password pair allows each end user to maintain their own personal password rather than just having one universal password. This enhances

Art Unit: 2137

security in the system because a hacker needs to know two pieces of information (the end user identifier and the password) instead of just one piece of information.

As per claim 8, the applicant describes the apparatus of claim 3, which is met by Lipsit in view of Chmaytelli in further view of Menezes, with the following limitation which is met by Chmaytelli:

Wherein the end user identifier is an e-mail address (Chmaytelli: Col 8, lines 54-59);

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Menezes in further view of Chmaytelli in further view of Binder.

As per claim 28, the applicant describes a method of unblocking a security device issued to an end user comprising the following limitations which are met by Lipsit, Menezes, Chmaytelli, and Binder:

a) establishing a secure gateway by an unblocking service (Lipsit: Fig 1; page 5, line 47 to page 6, line 17);

b) transferring information among the unblocking service, the end user, and the security device in a secure manner (Lipsit: page 5, line 47 to page 6, line 17);

c) transferring information between the unblocking service and the security agent in a secure manner (Lipsit: page 5, line 47 to page 6, line 17);

d) presenting an end user identifier and a password pair by the end user for a client-side transfer agent (Lipsit: page 4, lines 51-54; Menezes: page 388);

e) performing an authentication process for every transfer between the client-side transfer agent and the unblocking service (Lipsit: page 4, lines 51-54; Menezes: page 15);

f) generating an Unblock Authorization Code (UAC) after verification by a security agent (Lipsit: page 5, lines 47-50);

g) transferring the UAC securely from an agent-side transfer agent to the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

Art Unit: 2137

g) supplying the UAC to the end user by the security agent (Lipsit: page 5, line 47 to page 6, line 17);

h) applying the UAC to the client-side transfer agent by the end user (Lipsit: page 5, line 47 to page 6, line 17);

i) transferring the UAC securely from the client-side transfer agent to the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

j) verifying the UAC transferred by the client-side transfer agent and the agent-side transfer agent match through the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

k) transferring an Unblock Code (UBC) securely from the unblocking service to the client-side transfer agent (Chmaytelli: Col 8, lines 59-66);

l) unblocking the security device using the UBC (Chmaytelli: Col 8, lines 59-63);

m) checking at a configurable frequency to determine whether the UAC is generated (Binder: [0036]);

n) correlating the end user identifier and a security device identifier prior to acceptance of the UAC (Lipsit: page 5, line 47 to page 6, line 17);

o) providing the UBC by the unblocking service to the client-side transfer agent after correlation of the end user identifier, the password pair, and the security device identifier (Chmaytelli: Col 8, lines 59-63).

p) wherein the unblocking service stores the UAC and the UBC (Chmaytelli: Col 8, lines 59-63; Lipsit: page 5, line 47 to page 6, line 17);

q) wherein the security agent and the agent-side transfer agent are unable to access the UBC (Chmaytelli: Col 8, lines 59-63).

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Rosenberg, U.S. Patent Application Publication No. 2003/0013434.

Art Unit: 2137

As per claim 33, the applicant describes the method of claim 29, which is met by Lipsit in view of Chmaytelli, with the following limitations which are met by Chimaytelli and Rosenberg:

- a) generating a new UBC (Chimaytelli: Col 8, lines 59-63; Rosenberg: [0072] to [0075]);
- b) setting the security device to the new UBC (Rosenberg: [0072] to [0075]);
- c) delivering the new UBC to the directory service (Rosenberg: [0072] to [0075]);
- d) wherein the security agent and the agent-side transfer agent are unable to access the new

UBC (Chmaytelli: Col 8, lines 59-63; Rosenberg: [0072] to [0075]);

Lipsit in view of Chmaytelli disclose all the limitations of claim 29. Chmaytelli also discloses the idea of retrieving a UBC and sending the UBC to a security device so that it can be applied to unblock the device. Chmaytelli does not disclose the idea of generating a new UBC: Chmaytelli is silent as to whether the UBC is generated or simply retrieved from a list of existing UBCs.

Rosenberg discloses the idea of generating a UBC (activation code) for a user and delivering the new UBC to a directory service where it can be obtained by the user. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Rosenberg with those of Lipsit in view of Chmaytelli because generating a UBC instead of just retrieving it from a list enhances security in the system by generating fresh activation codes thereby curtailing the amount of time a hacker has to steal the activation code.

Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Angelo, U.S. Patent No. 5,949,882.

As per claim 34, the applicant describes the method of claim 29, which is met by Lipsit in view of Chmaytelli, with the following limitation which is met by Angelo:

Verifying the security device is not already permanently blocked (Angelo: Col 11, lines 8-16);

Lipsit in view of Chmaytelli disclose all the limitations of claim 29. However, Lipsit in view of Chmaytelli do not disclose verifying that the security device is not already permanently blocked. Angelo discloses a system in which a check is made on a security device to make sure it is not permanently

Art Unit: 2137

blocked. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Angelo with those of Lipsit in view of Chmaytelli because checking to make sure a device is not permanently blocked makes the system more efficient because resources are not wasted trying to unblock a device which is permanently blocked.

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Rosenberg in further view of Angelo.

As per claim 35, the applicant describes a method of unblocking a security device issued to an end user comprising the following limitations which are met by Lipsit, Chmaytelli, Rosenberg, and Angelo:

a) gathering information from the end user and the security device (Lipsit: page 5, line 47 to page 6, line 17);

b) verifying the information gathered from the end user and the security device (Lipsit: page 5, line 47 to page 6, line 17);

c) contacting the security agent by the end user (Lipsit: page 5, line 47 to page 6, line 17);

d) supplying end user information to the security agent (Lipsit: page 5, line 47 to page 6, line 17);

e) verifying identity of the end user by the security agent using an identity verification mechanism (Lipsit: page 4, lines 51-54);

f) generating an Unblock Authorization Code (UAC) after verification by the security agent (Lipsit: page 5, line 47 to page 6, line 17);

g) transferring the UAC to an unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

h) storing the UAC against a security device record in a directory service (Lipsit: page 5, line 47 to page 6, line 17);

i) transferring the UAC to an unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

j) storing the UAC against a security device record in a directory service (Lipsit: page 5, line 47 to page 6, line 17);

Art Unit: 2137

k) supplying the UAC from the security agent to the end user (Lipsit: page 5, line 47 to page 6, line 17);

l) applying the UAC to a client-side transfer agent by the end user (Lipsit: page 5, line 47 to page 6, line 17);

m) delivering the UAC securely from the client-side transfer agent to the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

n) verifying the UAC transferred by the client-side transfer agent and an agent-side transfer agent match through the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

o) requesting an Unblock Code (UBC) from the directory service (Chmaytelli: Col 8, lines 59-66);

p) unblocking the security device by transferring the UBC from the directory service to the client-side transfer agent (Chmaytelli: Col 8, lines 59-66);

q) gathering information from the end user using the client-side transfer agent (Lipsit: page 5, line 47 to page 6, line 17);

r) gathering information from the security device using the client-side transfer agent (Lipsit: page 5, line 47 to page 6, line 17);

s) generating a new UBC (Rosenberg: [0072] to [0075]);

t) setting the security device to the new UBC (Rosenberg: [0072] to [0075]);

u) delivering the new UBC to the directory service (Rosenberg: [0072] to [0075]);

v) verifying the security device is not already permanently blocked (Angelo: Col 11, lines 8-16),

q) wherein the unblocking service stores the UAC and the UBC (Rosenberg: [0072] to [0075]);

r) wherein the security agent and the agent-side transfer agent are unable to access the UBC (Chmaytelli: Col 8, lines 59-66; Rosenberg: [0072] to [0075]).

Response to Arguments

Applicant's arguments, see Remarks, filed 10/27/05, with respect to the objection of claim 10 have been fully considered and are persuasive. The objection of claim 10 has been withdrawn.

Art Unit: 2137

Applicant's arguments with respect to the 112 rejection of claims 14 and 27-28 have been fully considered and are persuasive. The 112 rejection of claims 14 and 27-28 has been withdrawn.

Applicant's arguments with respect to the 112 rejection of claims 18,28-29,35, and 37 have been fully considered and are persuasive. The 112 rejection of claims 18,28-29,35, and 37 has been withdrawn.

Applicant's arguments with respect to the rejection of claim 1 in light of Lipsit have been fully considered but they are not persuasive. The applicant argues that the rejection has been overcome because the applicant has amended to include that the UAC is generated after verification. The applicant presents the following argument:

"Lipsit does not disclose generation of a UAC after verification by the security agent. In fact, the security code used to unblock the wireless device taught in Lipsit is fully pre-programmed (using the serial number, mobile identification number, and/or a security code of the wireless device) when the device is sent to from the wireless device supplier to the recipient" (see Remarks page 4)

The examiner respectfully disagrees with applicant's assertion. Lipsit discloses that an end user may contact a security agent. After satisfactorily providing appropriate billing and credit related information, the security agent agrees upon a UAC with an end user (see page 5, lines 47-50). Thus, Lipsit teaches generating a UAC after verification.

The applicant next argues (see Remarks page 5) that Lipsit does not teach sending a UBC code to a device to locally unblock the device. The examiner did not make a rejection based on Lipsit teaching this feature. Accordingly, the applicant's argument is rendered moot.

The applicant next argues (see Remarks page 6) that Lipsit does not teach or suggest a system where the security agent and an agent-side transfer agent are unable to access the UBC. The applicant believes the above because the Mobile Switching Center has access to the UBC. The examiner believes the applicant considers the Mobile Switching Center to be the security agent and/or the agent-side transfer agent. The examiner never disclosed that the Mobile Switching Center is the security agent and/or agent-side transfer agent. Again, the applicant's argument is rendered moot.

Art Unit: 2137

The applicant next argues (see Remarks page 6) that Lipsit fails to disclose an unblocking service for establishing a secure gateway. The applicant believes that Lipsit does not disclose a secure gateway because Lipsit provides no indication that the dedicated communication channel to the Mobile Switching Center has any security consideration whatsoever. Assuming *arguendo* that applicant is correct, the examiner notes that applicant's nebulous "secure gateway" does not demand any security requirement on a *dedicated communication channel*. Accordingly, applicant's arguments are outside the scope of the claim limitations. The applicant further argues that Lipsit allows all unregistered users to use a dedicated number and fails to establish a secure gateway with the activation system for each individual device. Again, assuming *arguendo* that applicant is correct, the nebulous "secure gateway" does not preclude unregistered users from using a dedicated number nor does it demand that the activation system establish an individual link with each security device. Accordingly, applicant's arguments are outside the scope of the claimed invention.

Applicant's arguments with respect to the claim 1 rejection in light of Chmaytelli have been fully considered but are not persuasive. Applicant has amended claim 1 to include the limitations of previous claim 9 (now cancelled) and additional information. Applicant argues that a combination of Lipsit with Chmaytelli would not satisfy the limitation "wherein the security agent and the agent-side transfer agent are unable to access the UBC" as recited in claim 1 because the UBC is sent from an operator's location which the applicant equates with a security agent and/or agent-side transfer agent. The examiner has not considered the operator's location of Chmaytelli to be the security agent and/or agent-side transfer agent in the combination of Lipsit and Chmaytelli meeting applicant's claimed invention. Since the examiner does not make a rejection based on the operator's location of Chmaytelli being the security agent and/or agent-side transfer agent in the first place, applicant's arguments are rendered moot.

Applicant next argues that Chmaytelli is completely silent as to generation of a UAC after verification. Since the examiner does not make a rejection based on Chmaytelli generating a UAC after verification, applicant's arguments are rendered moot.

Art Unit: 2137

Applicant next argues that Chmaytelli does not teach securely transferring the UBC. The examiner disagrees. Chmaytelli discloses that an end user who requests a UBC must be authenticated through a security process (Col 8, lines 54-59) and that only end users who successfully complete the authentication process are transferred a UBC, hence meeting the limitation of securely transferring a UBC.

Applicant's arguments with respect to claims 28 and 35 have been fully considered, but they are not persuasive. The applicant argues that the claims should be allowable because four references have been used to reject the claim, and the "purported reconstruction of the claimed invention by reliance on such a large number of references is not appropriate" (See remarks page 12). The examiner disagrees with applicant's reasoning that the number of references is too large. In response to applicant's argument that the examiner has combined an excessive number of references, reliance on a large number of references in a rejection does not, without more, weigh against the obviousness of the claimed invention. See *In re Gorman*, 933 F.2d 982, 18 USPQ2d 1885 (Fed. Cir. 1991).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Art Unit: 2137

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Schubert whose telephone number is (571) 272-4239. The examiner can normally be reached on M-F 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KS


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER